

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 12

Complete if Known

| | |
|------------------------|-------------------|
| Application Number | 10/693,577 |
| Filing Date | October 23, 2003 |
| First Named Inventor | Lilip Lau |
| Art Unit | 3736 |
| Examiner Name | Samuel G. Gilbert |
| Attorney Docket Number | PARCR 65971 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|-------------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| | | Number | Kind Code ² (if known) | | | |
| SG | | 2,826,193 | | 03/11/1958 | Vineberg | |
| | | 3,464,322 | | 09/02/1969 | Pequignot | |
| | | 3,513,836 | | 05/26/1970 | Sausse | |
| | | 3,587,567 | | 06/28/1971 | Schiff | |
| | | 3,613,672 | | 10/19/1971 | Schiff | |
| | | 3,966,401 | | 06/29/1976 | Hancock et al. | |
| | | 3,983,863 | | 10/05/1976 | Janke et al. | |
| | | 3,988,782 | | 11/02/1976 | Dardik et al. | |
| | | 4,011,947 | | 03/15/1977 | Sawyer | |
| | | 4,048,990 | | 09/20/1977 | Goetz | |
| | | 4,065,816 | | 01/03/1978 | Sawyer | |
| | | 4,108,161 | | 08/22/1978 | Samuels et al. | |
| | | 4,192,293 | | 03/11/1980 | Asrican | |
| | | 4,211,325 | | 07/08/1980 | Wright | |
| | | 4,261,342 | | 04/14/1981 | Aranguren Duo | |
| | | 4,306,318 | | 12/22/1981 | Mano et al. | |
| | | 4,372,293 | | 02/08/1983 | Vijil-Rosales | |
| | | 4,403,604 | | 09/13/1983 | Wilkinson et al. | |
| | | 4,428,375 | | 01/31/1984 | Ellman | |
| | | 4,512,471 | | 04/23/1985 | Kaster et al. | |
| | | 4,545,783 | | 10/08/1985 | Vaughn | |
| | | 4,628,937 | | 12/16/1986 | Hess et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|-------------------------|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |
| SG | | PCT | WO 91/19465 | | 12/26/1991 | Frater | | |
| | | SU | 1734767 A1 | | 05/23/1992 | Popov et al. | | |
| | | EP | 0 280 564 B1 | | 06/16/1993 | Intermedics, Inc. | | |
| | | DE | 38 31 540 C2 | | 06/24/1993 | Evans | | |
| | | PCT | WO 95/06447 | | 03/09/1995 | W.L. Gore & Associates | | |
| | | PCT | WO 96/04852 | | 02/22/1996 | Northrup | | |
| | | DE | 295 17 393 U1 | | 03/14/1996 | Hohmann et al. | | |
| | | EP | 0 583 012 B1 | | 07/10/1996 | Heilman et al. | | |
| | | PCT | WO 96/40356 | | 12/19/1996 | EP Technologies, Inc. | | |
| | | PCT | WO 97/20505 | | 06/12/1997 | Loma Linda University | | |
| | | JP | 60-203230 | | 10/14/1985 | Unknown | | |

Examiner
Signature

Gilbert

Date
Considered

8/28/08

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | | | | | |
|--|--|--------------|--|--------------------------|--|-------------------|--|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | | | |
| Sheet 2 | | of 12 | | Application Number | | 10/693,577 | |
| | | | | Filing Date | | October 23, 2003 | |
| | | | | First Named Inventor | | Lilip Lau | |
| | | | | Art Unit | | 3736 | |
| | | | | Examiner Name | | Samuel G. Gilbert | |
| | | | | Attorney Docket Number | | PARCR 65971 | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|----------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| ls | | 4,630,597 | | 12/23/1986 | Kantrowitz et al. | |
| | | 4,665,906 | | 05/19/1987 | Jervis | |
| | | 4,690,134 | | 09/01/1987 | Snyders | |
| | | 4,697,703 | | 10/06/1987 | Will | |
| | | 4,750,619 | | 06/14/1988 | Cohen et al. | |
| | | 4,821,723 | | 04/18/1989 | Baker, Jr. et al. | |
| | | 4,827,932 | | 05/09/1989 | Ideker et al. | |
| | | 4,834,707 | | 05/30/1989 | Evans | |
| | | 4,838,288 | | 06/13/1989 | Wright et al. | |
| | | 4,840,626 | | 06/20/1989 | Linsky et al. | |
| | | 4,863,016 | | 09/05/1989 | Fong et al. | |
| | | 4,878,890 | | 11/07/1989 | Bilweis | |
| | | 4,960,424 | | 10/02/1990 | Grooters | |
| | | 4,973,300 | | 11/27/1990 | Wright | |
| | | 4,976,730 | | 12/11/1990 | Kwan-Gett | |
| | | 5,031,762 | | 07/16/1991 | Heacox | |
| | | 5,057,117 | | 10/15/1991 | Atweh | |
| | | 5,067,957 | | 11/26/1991 | Jervis | |
| | | 5,087,243 | | 02/11/1992 | Avitall | |
| | ls | | 5,098,369 | | 03/24/1992 | Heilman et al. |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |
| ls | | SU | 1009457A | | 04/07/1983 | Kulik | | |
| | | GB | 2 115 287 A | | 09/07/1983 | Sharma | | |
| | | PCT | WO 97/24101 | | 07/10/1997 | Melvin | | |
| | | EP | 0 791 330 A3 | | 08/27/1997 | Cardiothoracic Systems | | |
| | | PCT | WO 98/14136 | | 04/09/1998 | Acom Medical, Inc. | | |
| | | PCT | WO 98/26738 | | 06/25/1998 | Hearten Medical, Inc. | | |
| | | PCT | WO 98/29041 | | 07/09/1998 | Myocor, Inc. | | |
| | | PCT | WO 98/58598 | | 12/30/1998 | Haindl | | |
| | | PCT | WO 99/11201 | | 03/11/1999 | Endocore, Inc. | | |
| | | EP | 0 919 193 A1 | | 06/02/1999 | Ethicon Endo-Surgery | | |
| | | PCT | WO 99/44534 | | 09/10/1999 | Melvin | | |
| | ls | | JP | 1-271829 | | 10/30/1989 | Kogyo | |
| | | EPO | 0 370 931 A1 | | 05/30/1990 | Perrotin | | |

| | | | |
|--------------------|---------|-----------------|---------|
| Examiner Signature | Gilbert | Date Considered | 8/28/05 |
|--------------------|---------|-----------------|---------|

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|--|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| | | Application Number | 10/693,577 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 3 | of | 12 |
| (use as many sheets as necessary) | | | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|----------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| SL | | 5,106,386 | | 04/21/1992 | Isner et al. | |
| | | 5,119,804 | | 06/09/1992 | Anstadt | |
| | | 5,150,706 | | 09/29/1992 | Cox et al. | |
| | | 5,169,381 | | 12/08/1992 | Snyders | |
| | | 5,186,711 | | 02/16/1993 | Epstein | |
| | | 5,190,546 | | 03/02/1993 | Jervis | |
| | | 5,192,314 | | 03/09/1993 | Daskalakis | |
| | | 5,197,978 | | 03/30/1993 | Hess | |
| | | 5,279,539 | | 01/18/1994 | Bohan et al. | |
| | | 5,290,217 | | 03/01/1994 | Campos | |
| | | 5,336,254 | | 08/09/1994 | Brennen et al. | |
| | | 5,344,442 | | 09/06/1994 | Deac | |
| | | 5,352,184 | | 10/04/1994 | Goldberg et al. | |
| | | 5,356,432 | | 10/18/1994 | Rutkow et al. | |
| | | 5,366,460 | | 11/22/1994 | Eberbach | |
| | | 5,383,840 | | 01/24/1995 | Heilman et al. | |
| | | 5,385,156 | | 01/31/1995 | Oliva | |
| | | 5,385,229 | | 01/31/1995 | Bittmann et al. | |
| | | 5,385,528 | | 01/31/1995 | Wilk | |
| | | 5,405,360 | | 04/11/1995 | Tovey | |
| | | 5,429,584 | | 07/04/1995 | Chiu | |
| SL | | 5,460,962 | | 10/24/1995 | Kemp | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |
| SL | | PCT | WO 99/56655 | | 11/11/1999 | Correstore, Inc. | | |
| | | PCT | WO 00/13722 | | 03/16/2000 | SciMed Life Systems | | |
| | | PCT | WO 00/18320 | | 04/06/2000 | Univ. of Cincinnati | | |
| | | PCT | WO 00/28912 | | 05/25/2000 | Acorn Cardiovascular | | |
| | | PCT | WO 00/28918 | | 05/25/2000 | Acorn Cardiovascular | | |
| | | PCT | WO 00/42919 | | 07/25/2000 | Buckberg et al. | | |
| | | PCT | WO 00/45735 | | 08/10/2000 | Acorn Cardiovascular | | |
| | | PCT | WO 00/48795 | | 08/24/2000 | Richebourg | | |
| | | PCT | WO 00/62727 | | 10/26/2000 | Hearten Medical | | |
| SL | | PCT | WO 00/74769 | | 12/14/2000 | Johns Hopkins Univ. | | |

| | | | |
|--------------------|---------|-----------------|---------|
| Examiner Signature | Gilbert | Date Considered | 8/28/05 |
|--------------------|---------|-----------------|---------|

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|--|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| | | Application Number | 10/693,577 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 4 | of | 12 |
| (use as many sheets as necessary) | | | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|----------------------|-----------------|--------------------------------------|--------------------------------|--|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| <i>SG</i> | | 5,433,727 | | 07/18/2005 | Sideris | |
| | | 5,456,711 | | 07/18/1995 | Hudson | |
| | | 5,500,015 | | 03/19/1996 | Deac | |
| | | 5,507,779 | | 04/16/1996 | Altman | |
| | | 5,509,428 | | 04/23/1996 | Dunlop | |
| | | 5,524,633 | | 06/11/1996 | Heaven et al. | |
| | | 5,533,958 | | 07/09/1996 | Wilk | |
| | | 5,534,024 | | 07/09/1996 | Rogers et al. | |
| | | 5,545,210 | | 08/13/1996 | Hess et al. | |
| | | 5,571,215 | | 11/05/1996 | Sterman et al. | |
| | | 5,584,803 | | 12/17/1996 | Stevens et al. | |
| | | 5,593,424 | | 01/14/1997 | Northrup III | |
| | | 5,593,441 | | 01/14/1997 | Lichtenstein et al. | |
| | | 5,597,378 | | 01/28/1997 | Jervis | |
| | | 5,603,337 | | 02/18/1997 | Jarvik | |
| | | 5,607,477 | | 03/04/1997 | Schindler et al. | |
| | | 5,647,372 | | 07/15/1997 | Tovey et al. | |
| | | 5,647,380 | | 07/15/1997 | Campbell et al. | |
| | | 5,695,525 | | 12/09/1997 | Mulhauser et al. | |
| | | 5,727,569 | | 03/17/1998 | Benetti et al. | |
| <i>SG</i> | | 5,782,746 | | 07/21/1998 | Wright | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|--|--|----------------|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |
| SG | | PCT | WO 01/17437 | | 03/15/2001 | Cardiothoracic Systems | | |
| | | PCT | WO 01/21098 | | 03/29/2001 | Acom Cardiovascular | | |
| | | PCT | WO 01/67985 | | 09/20/2001 | Paracor Surgical | | |
| | | PCT | WO 01/85061 | | 11/15/2001 | Acom Cardiovascular | | |
| | | PCT | WO 01/91667 | | 12/06/2001 | Cardioclasp, Inc. | | |
| | | PCT | WO 01/95830 | | 12/20/2001 | Acom Cardiovascular | | |
| | | PCT | WO 01/95831 | | 12/20/2001 | Acom Cardiovascular | | |
| | | PCT | WO 01/95832 | | 12/20/2001 | Acom Cardiovascular | | |
| | | PCT | WO 02/13726 | | 02/21/2002 | Acom Cardiovascular | | |
| SG | | PCT | WO 02/19917 | | 03/14/2002 | Converge Medical | | |

| | | | |
|--------------------|----------------|-----------------|------------------|
| Examiner Signature | <i>Gilbert</i> | Date Considered | <i>8/28/2005</i> |
|--------------------|----------------|-----------------|------------------|

60497.1



*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|---|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | An Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 5 | of | 12 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-------------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| <i>SG</i> | | 5,800,334 | | 09/01/1998 | Wilk | |
| | | 5,814,097 | | 09/29/1998 | Sterman et al. | |
| | | 5,824,028 | | 10/20/1998 | Knisley | |
| | | 5,836,311 | | 11/17/1998 | Borst et al. | |
| | | 5,849,005 | | 12/15/1998 | Garrison et al. | |
| | | 5,853,422 | | 12/29/1998 | Huebsch et al. | |
| | | 5,865,791 | | 02/02/1999 | Whayne et al. | |
| | | 5,904,690 | | 05/18/1999 | Middleman et al. | |
| | | 5,927,284 | | 07/27/1999 | Borst et al. | |
| | | 5,948,019 | | 09/07/1999 | Shu et al. | |
| | | 5,979,456 | | 11/09/1999 | Magovern | |
| | | 5,984,857 | | 11/16/1999 | Buck et al. | |
| | | 5,990,378 | | 11/23/1999 | Ellis | |
| | | 6,007,486 | | 12/28/1999 | Hunt et al. | |
| | | 6,015,378 | | 01/18/2000 | Borst et al. | |
| | | 6,071,303 | | 06/06/2000 | Laufer | |
| | | 6,095,968 | | 08/01/2000 | Snyders | |
| | | 6,110,100 | | 08/29/2000 | Talpade | |
| | | 6,117,159 | | 09/12/2000 | Huebsch et al. | |
| | | 6,117,979 | | 09/12/2000 | Hendriks et al. | |
| | | 6,155,968 | | 12/05/2000 | Wilk | |
| | | 6,155,972 | | 12/05/2000 | Nauertz et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | | |
|---|---|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|--|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ | |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | | |
|  | | PCT | WO 03/026483 | | 04/03/2003 | The Foundry, Inc. | | | |
| | | PCT | WO 03/026485 | | 04/03/2003 | The Foundry, Inc. | | | |
| | | PCT | WO 03/026484 | | 04/03/2003 | The Foundry, Inc. | | | |
| | | GB | 2 209 678 A | | 05/24/1989 | Evans | | | |
| |  | | DE | 3831 540 A1 | | 04/06/1989 | Evans | | |
| | | | JP | 1-145066 | | 06/07/1989 | Unknown | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

| | | | |
|-----------------------|----------------|--------------------|------------------|
| Examiner Signature | <i>Gilbert</i> | Date Considered | <i>8/28/2005</i> |
|-----------------------|----------------|--------------------|------------------|

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|---|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 6 | of | 12 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|----------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| SG | | 6,166,184 | | 12/26/2000 | Hendriks et al. | |
| | | 6,206,820 | | 03/27/2001 | Kazi et al. | |
| | | 6,214,047 | | 02/10/2001 | Melvin | |
| | | 6,287,250 | | 09/11/2001 | Peng et al. | |
| | | 6,293,906 | | 09/25/2001 | Vanden Hoek et al. | |
| | | 6,306,141 | | 10/23/2001 | Jervis | |
| | | 6,360,749 | | 03/26/2002 | Jayaraman | |
| | | 6,375,608 | | 04/23/2002 | Alfermess | |
| | | 6,390,976 | | 05/21/2002 | Spence et al. | |
| | | 6,402,679 | | 06/11/2002 | Mortier et al. | |
| | | 6,402,680 | | 06/11/2002 | Mortier et al. | |
| | | 6,406,420 | | 06/18/2002 | McCarthy et al. | |
| | | 6,409,760 | | 06/25/2002 | Melvin | |
| | | 6,416,459 | | 07/09/2002 | Haindl | |
| | | 6,425,856 | | 07/30/2002 | Shapland et al. | |
| | | 6,432,039 | | 08/13/2002 | Wardle | |
| | | 6,451,025 | | 09/17/2002 | Jervis | |
| | | 6,482,146 | | 11/19/2002 | Alfermess et al. | |
| | | 6,537,203 | | 03/25/2003 | Alfermess et al. | |
| | | 6,544,168 | | 04/08/2003 | Alfermess | |
| | | 6,547,821 | | 11/11/2003 | Taylor et al. | |
| | | 6,564,094 | | 05/13/2003 | Alfermess et al. | |
| | | 6,567,699 | | 05/20/2003 | Alfermess et al. | |
| | | 6,569,082 | | 05/27/2003 | Chin | |
| | | 6,572,533 | | 06/03/2003 | Shapland et al. | |
| | | 6,575,921 | | 06/10/2003 | Vanden Hoek et al. | |
| | | 6,582,355 | | 06/24/2003 | Alfermess et al. | |
| | | 6,587,734 | | 07/01/2003 | Okuzumi | |
| | | 6,595,912 | | 07/22/2003 | Lau et al. | |
| | | 6,602,184 | | 08/05/2003 | Lau et al. | |
| | | 6,612,978 | | 09/02/2003 | Lau et al. | |
| SG | | 6,612,979 | | 09/02/2003 | Lau et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |

| | | | |
|--------------------|---------|-----------------|-----------|
| Examiner Signature | Gilbert | Date Considered | 8/28/2005 |
|--------------------|---------|-----------------|-----------|

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | | | |
|---|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 7 | of | 12 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-------------------------|-----------------|--------------------------------------|--------------------------------|---|---|
| Examiner Initials* | Cite No ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| SG | | 6,645,139 | | 11/11/2003 | Haindl | |
| | | 6,663,558 | | 12/16/2003 | Lau et al. | |
| | | 6,673,009 | | 01/06/2004 | Vanden Hoek et al. | |
| | | 6,682,474 | | 01/27/2004 | Lau et al. | |
| | | 6,682,475 | | 01/27/2004 | Cox et al. | |
| | | 6,682,476 | | 01/27/2004 | Alfermess et al. | |
| | | 6,685,620 | | 02/03/2004 | Gifford, III et al. | |
| | | 6,685,627 | | 02/03/2004 | Jayaraman | |
| | | 6,689,048 | | 02/10/2004 | Vanden Hoek et al. | |
| | | 6,695,769 | | 02/24/2004 | French et al. | |
| | | 6,701,929 | | 03/09/2004 | Hussein | |
| | | 6,702,732 | | 03/09/2004 | Lau et al. | |
| | | 6,723,041 | | 04/20/2004 | Lau et al. | |
| | | 6,755,779 | | 06/29/2004 | Vanden Hoek et al. | |
| | | 2001/200293134 | | 10/11/2001 | Alfermess et al. | |
| | | 2001/200047122 | | 11/29/2001 | Vanden Hoek et al. | |
| | | 2002/200007216 | | 01/17/2002 | Melvin | |
| | | 2002/200022880 | | 02/21/2002 | Melvin | |
| | | 2002/200068849 | | 06/06/2002 | Schweich, Jr. et al. | |
| | | 2002/20007754 | | 06/20/2002 | Schweich, Jr. et al. | |
| | | 2002/200082647 | | 06/27/2002 | Alfermess et al. | |
| | | 2002/200091296 | | 07/11/2002 | Alfermess | |
| | | 2002/200103511 | | 08/01/2002 | Alfermess et al. | |
| | | 2002/200151950 | | 10/17/2002 | Okuzumi | |
| | | 2003/200060674 | | 03/27/2003 | Gifford, III et al. | |
| | | 2003/200060677 | | 03/27/2003 | French et al. | |
| | | 2003/200060895 | | 03/27/2003 | French et al. | |
| | | 2003/200199733 | | 10/23/2003 | Shapland et al. | |
| | | 2003/200199955 | | 10/23/2003 | Struble et al. | |
| | | 2003/200229265 | | 12/11/2003 | Girard et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-------------------------|-------------------------|---------------------|---------------------------------|--------------------------------|---|--|----------------|
| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind ⁵ (if known) | | | | |

| | | | |
|-----------------------|---------|--------------------|-----------|
| Examiner Signature | Gilbert | Date Considered | 8/28/2005 |
|-----------------------|---------|--------------------|-----------|



60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|--|-------|--------------------------|-------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete if Known | |
| | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Group Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| Sheet 8 | of 12 | Attorney Docket Number | PARCR 65971 |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
|---|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|  | | Bencini, Adriano, M.D., <i>The "Pneumomassage" of the Heart</i> , <u>Surgery</u> , Vol. 39, No. 3, March 1956 | |
| | | Anstadt, George L., et al., <i>A New Instrument for Prolonged Mechanical Cardiac Massage</i> , <u>Abstracts of the 38th Scientific Sessions</u> , Supplement II to <u>Circulation</u> , Vols. 31 and 32, pp. 375-384, October 1965 | |
| | | Lev, Maurice, M.D., et al., <i>Single (Primitive) Ventricle</i> , <u>Circulation</u> , Vol. 39, pp. 577-591, May 1969 | |
| | | Paling, D.F., <i>Warp Knitting Technology</i> , 1970 | |
| | | Edie, Richard N., M.D., et al., <i>Surgical Repair of Single Ventricle</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 66, No. 3, pp. 350-360, September 1972 | |
| | | McGoon, Dwight C., M.D., et al., <i>Correction of the Univentricular Heart Having Two Atrioventricular Valves</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 74, No. 2, pp. 218-226, August 1977 | |
| | | Doty, Donald B., et al., <i>Septation of the Univentricular Heart: Transatrial Approach</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 78, No. 3, pp. 424-430, September 1979 | |
| | | Schetky, L. McDonald, <i>Shap- Memory Alloys</i> , <u>Scientific American</u> , Vol. 241, No. 5, pp. 74-82, November 1979 | |
| | Melton, K.N., et al., <i>Alloys With Two-Shape Memory Effect</i> , <u>Mechanical Engineering</u> , pp. 42-43, March 1980 | | |
|  | | Feldt, Robert H., M.D., et al., <i>Current Status of the Septation Procedure for Univentricular Heart</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 82, No. 1, pp. 93-97, July 1981 | |

Gilbert

8/28/2005

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|---|---|--------------------------|-------------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| | | Application Number | 10/693,577 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Group Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 9 | of | 12 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|----------------------|---|----------------|
| Examiner Initials* | Cite No ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| <i>SG</i> | | Carpentier, A., et al., <i>Myocardial Substitution With Stimulated Skeletal Muscle: First Successful Clinical Case</i> , <u>The Lancet</u> , June 1, 1985 | |
| | | Anstadt, George L. et al., <i>Direct Mechanical Ventricular Actuation: A Review</i> , <u>Resuscitation</u> , pp. 7-23, 1991 | |
| | | Anstadt, Mark P., M.D., et al., <i>Pulsatile Reperfusion After Cardiac Arrest Improves Neurologic Outcome</i> , <u>American Surgery</u> , Vol. 214, No. 4, pp. 478-490, October 1991 | |
| | | Schumacker, Harris B., Jr., <i>Chapter 21: Cardiac Aneurysms, The Evolution of Cardiac Surgery</i> , pp. 159-165, 1992 | |
| | | Savage, Edward B., M.D., et al., <i>Repair of Left Ventricular Aneurysm</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 104, No. 3, pp. 752-762, September 1992 | |
| | | Chekanov, Valeri, M.D., Ph.D., <i>Nonstimulated Cardiomyoplasty Wrap Attenuated the Degree of Left Ventricular Enlargement</i> , <u>Annals of Thoracic Surgeons</u> , Vol. 57, pp. 1684-1690, 1997 | |
| | | Chaudhry, Pervaiz A., M.D., et al., <i>Acute Ventricular Reduction with Acorn's Cardiac Support Device Prevents Progressive Left Ventricular Dysfunction and Remodeling in Dogs With Advanced Heart Failure</i> , <u>Cardiothoracic Surgery</u> , pp. 146-148, 1996 | |
| | | Westaby, Stephen, et al., <i>Landmarks in Cardiac Surgery</i> , pp. 198-199, 1997 | |
| | | Cox, James L., <i>Left Ventricular Aneurysms: Pathophysiologic Observations and Standard Resection</i> , <u>Seminars in Thoracic and Cardiovascular Surgery</u> , Vol. 9, No. 2, pp. 113-122, April 1997 | |
| <i>SG</i> | | Coletta, C., et al., <i>Prognostic Value of Left Ventricular Volume Response During Dobutamine Stress Echocardiography</i> , <u>European Heart Journal</u> , vol. 18, pp. 1599-1603, October 1997 | |

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|--|----|--------------------------|-------------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| | | Application Number | 10/693,577 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Group Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| (use as many sheets as necessary) | | | |
| Sheet | 10 | of | 12 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|----------------------|--|---|
| Examiner Initials* | Cite No ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| SG | | Capomolla, Soccorso, M.D., et al., <i>Dobutamine and Nitroprusside Infusion in Patients With Severe Congestive Heart Failure: Hemodynamic Improvement by Discordant Effects on Mitral Regurgitation, Left Atrial Function, and Ventricular Function</i> , <u>American Heart Journal</u> , 1089-1098, December 1997 | |
| | | Cohn, Jay N., M.D., <i>Preventing Congestive Heart Failure</i> , <u>American Family Physician</u> , 6 pages, April 15, 1998 | |
| | | Cohn, Jay N., M.D., <i>Structural Basis for Heart Failure: Ventricular Remodeling and Its Pharmacological Inhibition</i> , <u>Circulation</u> , Vol. 91, No. 10, pp. 2504-2507, May 15, 1995 | |
| | | Gaudron, Peter, M.D., et al., <i>Progressive Left Ventricular Dysfunction and Remodeling After Myocardial Infarction</i> , <u>Circulation</u> , vol. 87, pp. 755-763, March 1993 | |
| | | Pfeiffer, Marc A., M.D., et al., <i>Ventricular Remodeling After Myocardial Infarction: Experimental Observations and Clinical Implications</i> , <u>Circulation</u> , Vol. 81, No. 4, pp. 1161-1172, April 1990 | |
| | | Guasp, Francisco Torrent, <i>Una protesis contentiva para el tratamiento de la microcardiopatía dilatada</i> , <u>Revista Española de Cardiología</u> , Vol. 51, No. 7, July 1998 | |
| | | Melvin, David B., <i>Ventricular Radium Reduction Without Resection: A Computational Analysis</i> , <u>ASAIO Journal</u> , pp. 160-165, 1999 | |
| | | <u>ABSTRACTS – Heart Failure</u> , JACC February 1999 | |
| | | McCarthy, Patrick M., et al., <i>Device Based Left Ventricular Shape Change Immediately Reduces Left Ventricular Volume and Increases Ejection Fraction in a Pacing Induced Cardiomyopathy Model in Dogs</i> , JACC, Feb. 2000 | |
| | SG | | Acorn Cardiovascular, Inc., <u>CSD Specifications Acorn Cardiac Support Device</u> , 2000 |

Gilbert

8/28/2005

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|---|----|--------------------------|-------------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Group Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 11 | of | 12 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| SP | | Heart "jacket" could help stop heart failure progression, <u>Clinicia</u> , No. 916, July 2000 | |
| | | Acom Cardiovascular, Inc., <u>CorCap™ Cardiac Support Device</u> Pamphlet, June 2001 | |
| | | Medtronic's InSync Cardiac Resynchronization Therapy Device Approved by FDA, (Press Release) August 28, 2001 | |
| | | Acom Cardiovascular, Inc., <u>Acorn Highlights: ESC</u> , Schedule, September 2001 | |
| | | Oz, Mehmet C., M.D., <u>Passive Ventricular Constraint for the Treatment of Congestive Heart Failure</u> , <u>Annals of Thoracic Surgery</u> , Vol. 71, pp. 5185-5187, 2001 | |
| | | Abstract Supplement, <u>European Heart Journal</u> , Vol. 22, September 2001 | |
| LS | | Gorman, J., <u>Self-Sutures: New Material Knots Up On Its Own</u> , <u>Science News</u> , Vol. 161, p. 262, April 27, 2002 | |
| | | Teckell-Taylor, Leah A., et al., <u>Passive Ventricular Restraint With Nitinol Mesh Attenuates Remodeling Following Acute Myocardial Infarction</u> , Abstract, American College of Cardiology (Undated) | |
| LS | | Mann, Douglas L., M.D., <u>Basic Mechanisms of Remodeling and Reverse Remodeling</u> , presented at 6 th Annual Scientific Meeting of the Heart Failure Society of America, September 24, 2002 | |
| LS | | Bocchi, Edimar a., M.D., <u>Arrhythmias and Sudden Death After Dynamic Cardiomyoplasty</u> , <u>Circulation</u> , Vol. 90, No. 5, Part 2, pp. II-107 thru II-111, November 1994 | |

Gilbert

8/28/2005

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | |
|---|----|--------------------------|-------------------|
| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/693,577 |
| | | Filing Date | October 23, 2003 |
| | | First Named Inventor | Lilip Lau |
| | | Group Art Unit | 3736 |
| | | Examiner Name | Samuel G. Gilbert |
| | | Attorney Docket Number | PARCR 65971 |
| Sheet | 12 | of | 12 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| <i>SG</i> | | Chachques, Juan C., M.D., <i>Study of Muscular and Ventricular Function in Dynamic Cardiomyoplasty: A Ten-Year Follow-Up</i> , <u>The Journal of Heart and Lung Transplantation</u> , Vol. 16, No. 8, pp. 854-868, August 1997 | |
| | | Dullum, Mercedes K.C., M.D., et al., <i>Less Invasive Surgical Management of Heart Failure by Cardiac Support Device Implantation on the Beating Heart</i> , The Heart Surgery Forum, #2001-1818, pp. 361-363, January 4-7, 2001 | |
| | | Macris, Michael P. M.D., et al., <i>Minimally Invasive Access of the Normal Pericardium: Initial Clinical Experience with a Novel Device</i> , <u>Clinical Cardiology</u> , Vol. 22 (Suppl. 1), pp. 1-36 thru 1-39, 1999 | |
| | | Thakur, Ranjan K., M.D., et al., <i>Latissimus Dorsi Dynamic Cardiomyoplasty: Role of Combined ICD Implantation</i> , <u>Journal of Cardiac Surgery</u> , Vol. 10, pp. 295-297, 1995 | |
| | | Application for U.S. Letters Patent Serial No. 10/693,577 filed October 23, 2003; Inventors Lau Hartigan | |
| | | Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002; Inventors Lau Hartigan | |
| | | Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003; Inventors Lau Hong Fishler Mar | |
| | | Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003; Inventors Lau Patel | |
| | | Application for U.S. Letters Patent Serial No. 10/704,376 filed November 7, 2003; Inventors Lau Fishler Mar | |
| | | Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003; Inventors Wallin Lau | |
| <i>SG</i> | | Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004; Inventors Fishler Mar Meyer Patel Lau | |

Gilbert

8/28/2005

60497.1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO, Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.